

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SUE McCOMBS,

Plaintiff,

vs.

HOME DEPOT U.S.A., INC.,

Defendant.

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Civil Action No. 1:15-cv-00922-SS

JURY DEMANDED

JOINT ALTERNATIVE DISPUTE RESOLUTION REPORT

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

COME NOW Plaintiff, Sue McCombs, and Defendant, Home Depot U.S.A., Inc. (“Home Depot”), and in accordance with the Court’s Scheduling Order and Local Rule CV-88 hereby state as follows:

1) *Status of Settlement Negotiations:*

Plaintiff’s written offer of settlement to Home Depot is due by May 11, 2016, and Home Depot will serve its response by May 25, 2016.

2) *Identity of Persons Responsible for Settlement Negotiations:*

Plaintiff – Sue McCombs, attorney for Scott J. Braden.

Home Depot – Arthur K. Smith, attorney for Home Depot U.S.A., Inc.

3) *Evaluation of whether Alternative Dispute Resolution is appropriate in this case:*

The parties believe that mediation is appropriate for this case, and have agreed to mediate the case.

4) *Conclusions Regarding Appropriateness, Method and Provider of ADR:*

The parties have agreed to attend mediation prior to January 10, 2017, and have agreed to jointly select the mediator. The provider will be selected after consultation among

counsel. The costs of mediation will be split equally between the parties.

Respectfully submitted,

By: /s/ Arthur K. Smith
Arthur K. Smith
State Bar No. 18534100

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ATTORNEYS FOR DEFENDANT
HOME DEPOT U.S.A., INC.

By: /s/ Scott J. Braden
Scott J. Braden
Texas State Bar No. 24067525

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

On the 16th day of March, 2016, I electronically submitted the foregoing document with the clerk of court for U.S. District Court, Western District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

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Counsel for Plaintiff

/s/ Arthur K. Smith
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